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REMARKS

Claims 1-46 are pending in the present application.

The specification has been amended to correct the structure of the 3rd compound by replacing the methoxy group with a hydroxy group in the R¹⁵ position. Support for this amendment can be found in the table on page 32, line 8, and in original claim 4.

Claim 35 has been similarly amended to correct the structure of the 3rd compound by replacing the methoxy group with a hydroxy group in the R¹⁵ position.

Claims 1-46, all pending claims, are subject to a restriction requirement under 35 U.S.C. §121. The Examiner has required the Applicants to elect one of the allegedly distinct inventions, classified as Groups I-III. Reconsideration of the restriction requirement in view of the following remarks is respectfully requested.

Applicants provisionally elect Group I with traverse, namely, claims 1-21, drawn to compositions comprising a fused pyrrolocarbazole. Further, Applicants provisionally elect as the species the compound of claim 5.

Traversal of the Restriction Requirement

Applicants respectfully traverse the restriction requirement. The restriction requirement is improper because the Patent Office has not shown that examining all the claims would constitute a serious burden. If the search and examination of the entire application could be made without serious burden, "the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions (emphasis added)". MPEP § 803. Applicants respectfully contend that the subject matter of the restriction groups is sufficiently related such that a search of the compositions of Group I will

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encompass their methods of use, which is not an undue burden on the Patent Office.

Applicants respectfully submit that the compositions comprising the compounds of claim 1 (Group I) are related to their methods of use (claim 22, Group II). In other words, a search of the compounds according to claim 1 will reveal the compounds, along with any uses. Indeed, method of use claim 22 (Group II) is dependent on claim 1 (Group I) and therefore incorporates all the elements of claim 1. *See* MPEP §808.02.

Furthermore, Applicants submit that the classification offered by the Patent Office is misplaced. As stated above, the method of use claim 22 (Group II) is dependent on claim 1 (Group I), hence both restrictions groups are directed to the same genus of compounds. However, the Patent Office has classified Group I in subclass 724, which is drawn to compounds with a "C-O group (e.g. alcohol, alcoholate, etc.) DOAI". Group II is classified in subclass 410, which is drawn to "a DOAI...a polycyclo ring system having the five-membered hetero ring as one of the cyclos." Applicants submit that since the same compounds are at issue in both restriction groups, then they should be classified in the same subclass, be it subclass 724 or 410. Hence, Applicants respectfully submit that such a search under the same subclass would not constitute a serious burden on the Patent Office and request withdrawal of the restriction requirement.

Applicants appreciate the Patent Office's recognition that process claims of Group III may be rejoined pursuant to MPEP §821.04 should the corresponding product claims of Group I should be found allowable.

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In view of the above, examination of these claims and passage to allowance are respectfully requested. An early Notice of Allowance is therefore earnestly solicited.

Dated this day May 23, 2007.

Respectfully submitted,



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